

2014-1156

United States Court of Appeals
For the Federal Circuit

LUMEN VIEW TECHNOLOGY, LLC,
Appellant,

v.

FINDTHEBEST.COM, INC.
Appellee,

*On Appeal from the United States District Court for the Southern District of
New York in case No. 13-3599, Judge Denise L. Cote.*

**UNOPPOSED MOTION OF APPELLANT FOR VOLUNTARY
DISMISSAL OF APPEAL UNDER FED. CIR. R. 42(b)**

Appellant Lumen View Technology, LLC respectfully moves to dismiss voluntarily the appeal under Fed. Cir. R. 42(b). The United States Supreme Court in *Alice Corporation Pty. Ltd. v. CLS Bank International*, 573 U. S. ____ (2014) (No. 13-298), has provided greater clarity on patentability in light of 35 U.S. C. §101. The parties respectfully make a request for dismissal as an efficient resolution of the instant appeal and to conserve judicial resources.

No party has filed briefs in this case. Appellant's brief is due September 15, 2014. Appellant has informed Appellee Findthebest.com, Inc. who does not oppose this motion.

Dated: September 12, 2014

Respectfully submitted,

AETON LAW PARTNERS LLP

/s/ Damian Wasserbauer/

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Attorney for Appellant

Lumen View Technology L.L.C.

CERTIFICATE OF INTEREST

Lumen View Technology, LLC v. Findthebest.com, Inc.
Appeal No. 2013-1156

Counsel for Appellant Lumen View Technology, LLC certifies the following in accordance with Fed. R. App. P. 26.1 and Fed. Cir. R. 47.4(a):

1. The full name of every party or amicus represented by me is:

Lumen View Technology, LLC

2. The name of the real party in interest represented by me is:

Lumen View Technology, LLC is the real party in interest.

3. All parent corporations and any publicly held companies that own 10 percent or more of the stock of the party or amicus curiae represented by me are:

Pursuant to Federal Rule of Appellate Procedure 26.1, the undersigned counsel for Lumen View Technology, LLC (a private nongovernmental party) certifies that it has no corporate parent and there are no publicly held corporations that own 10% or more of its stock.

4. The names of all law firms and the partners and associates that appeared for the party or amicus now represented by me in the trial court or agency or are expected to appear in this court are:

Damian Wasserbauer and Aeton Law Partners LLP,
101 Centerpoint Dr., Ste. 105,
Middletown, CT 06457

**DECLARATION OF AUTHORITY PURSUANT TO
FEDERAL CIRCUIT RULE 47.3**

Pursuant to Rule 47.3(d) of the Rules of the United States Court of Appeals for the Federal Circuit, I, Damian Wasserbauer, hereby swear under penalty of perjury pursuant to 28 U.S.C. § 1746 that each of the following attorneys has authorized me to sign the foregoing unopposed motion on his behalf:

Joseph S. Leventhal for *Appellee* Findthebest.com, Inc.

Executed: September 12, 2014

/s/ Damian Wasserbauer
Damian Wasserbauer